

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETWORK MONITORING LLC,

Plaintiff,

v.

SKYSCANNER LTD.,

Defendant.

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Case No. 2:21-cv-00148-JRG

JURY TRIAL DEMANDED

**DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF
PLAINTIFF NETWORK MONITORING LLC'S
P.R. 4-3(a) OPENING CLAIM CONSTRUCTION BRIEF**

I, Vincent J. Rubino, III, hereby declare as follows:

1. I have personal knowledge of the facts set forth in this declaration. I am competent to testify as to all matters stated, and I am not under any legal disability that would in any way preclude me from testifying.
2. I am a Partner at the law firm of Fabricant LLP and counsel of record for Plaintiff Network Monitoring LLC in this matter.
3. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals.
4. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 9,058,416.
5. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent No. 9,680,946.

6. Attached hereto as Exhibit C is a true and correct copy of the Declaration of Dr. Omid Kia, Ph.D. Regarding Claim Construction, dated February 28, 2022.

7. Attached hereto as Exhibit D is a true and correct copy of a document bearing the Bates numbers SKY_00002190-2303.

8. Attached hereto as Exhibit E is a true and correct copy of a document bearing the Bates numbers SKY_00002180-2182.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 6, 2022 in Short Hills, New Jersey.

/s/ Vincent J. Rubino, III
Vincent J. Rubino, III